

REMARKS/ARGUMENTS

Pending Claims

Claims 6-20 and 33 have been amended. No claims have been added or canceled. Accordingly, claims 6-20 and 33 are pending in this application. No new matter has been added.

Claim Rejections under 35 U.S.C. §§102 and 103

Claim 20 has been rejected under 35 U.S.C. §102(b) as being anticipated by Gase et al., U.S. Patent No. 5,580,177 (hereafter "Gase"). Claims 6, 7 and 11-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gase in view of Barsness et al., U.S. Patent No. 5,960,206 (hereafter "Barsness"). Claims 8-10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gase in view of Barsness, and further in view of Ishida, U.S. Patent No. 5,367,618. Claim 33 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Gase. Applicants respectfully traverse these rejections, and request reconsideration and withdrawal of the rejections for the following reasons.

Rejection of Claim 6

Gase includes a configuration in which multiple separate client processors 10, 12, 14 each include printer utilities 24 and printer drivers 26. Further, a file server 16 is in communication with the client processors and also with a plurality of separate printers 18, 20, 22 (see col. 3, lines 3-15 and FIG. 1). Modular I/O cards are provided

for each printer, and provide interface capability between a connected printer and the file server to enable use of the printers on networks of various protocol types (see col. 3, lines 29-46). The file server accumulates data regarding available printers and is able to generate a display screen 50 that appears on a client processor in response to a user's request to show available printers (see col. 4, lines 39-47). When a client processor elects to utilize a particular printer, if the existing driver in the client processor requires an update, a new printer driver is installed from printer driver library 38 in file server 16 (see col. 4, lines 51-54). Printer utility 24 enables automatic connection to file server 16 and to an appropriate print queue that serves the selected printer (see col. 5, lines 4-8). The client processors communicate with the file server, and are able to select from among multiple printers. The file server receives print jobs from the processors and queues the print jobs for the selected printers.

Barsness is directed to a method and system for estimating software installation time on data processing systems that utilize multiprocessing or multithreading (see col. 1, lines 14-17). Barsness further teaches the use of precedence relations to ensure a certain order of events. In the example given, base operating system code changes must be installed before database code can be installed because the latter option uses updated operating system code during its installation (see col. 9, lines 60-66). Also, help files and example files for the database options must be installed after the base database option because they are installed into directories created during the installation of the database code option. Thus,

Barsness establishes a complex precedence relationship for each piece of software and file to be installed.

Under Applicants' invention, a network device generates print data in accordance with information resources received from outside, and sends the print data to a printer. Print related information necessary for generating the print data is acquired from a prescribed location on the network at a prescribed time. The prescribed location on the network is obtained from a location information distribution server separate from the prescribed location. The print data is generated by using the acquired print related information, and sent to the printer. The print related information is classified under at least two groups in accordance with the priority of acquisition thereof. Print related information, such as a color conversion table, printer driver program, basic font data, or a basic font renderer program, is classified under a high priority group. A low priority group may include a program for interpreting a format of the information resources to be received, font data of the font which is included in the information resources or a font renderer program of the font.

Applicants' network device is configured to obtain a prescribed location for obtaining print related information from an information distribution server, acquire print related information from a separate prescribed location, use the acquired print related information to generate print data, and then pass the print data to a printer. In Gase, on the other hand, plural printers are taught as being separate from plural client processors, and a printer is selected by a user at each of the client processors via the

file server. Under the configuration of Gase, the client processor acquires printer driver updates from the file server, and sends print data to the file server, and the file server sends the print data to the printers. Thus, Gase fails to teach or suggest a network device that is configured as set forth in claim 6, in which a location information distribution server is used to obtain a separate prescribed location for acquiring the print related information.

Further, the Office Action combines Barsness with Gase for purportedly teaching that the print related information is classified under at least two groups in accordance with a priority of acquisition thereof. However, as discussed above, Barsness teaches only establishing precedence relations for installation of software and files. Barsness does not teach classifying print related information into two or more groups, such as a high priority group and a low priority group. With Barsness, the precedence relation of each piece of software and file must be established and followed, whereas in the present invention, it is only necessary to pay attention to which group a type of print related information belongs to. This form of management is substantially simpler to maintain than the teachings of Barsness, and not taught or suggested by Barsness. Accordingly, claim 6 is allowable over the combination of Gase and Barsness for this reason as well. Dependent claims 7-19 depend from claim 6, and are allowable at least because they depend from an allowable base claim.

Rejections of Claims 20 and 33

In the rejections of claims 20 and 33, the Office Action asserts that a normal

packet includes a sender's address, and that the sender's address corresponds to the "information concerning a prescribed location on said network to be accessed upon the next acquisition of said print related information" in claims 20 and 33. However, Applicants' invention is not so limited, and the prescribed location on the network to be accessed upon the next acquisition of print related information is not necessarily the address of the sender of previously acquired print related information. For example, if the location where the driver distribution server for providing the printer driver, etc. (e.g. an address on the network) is installed changes, and such change is previously known to the driver distribution server, the information of the future location to be accessed may be included in the downloaded print related information to be sent to the network board (see, e.g., page 19, lines 15-20 of Applicants' specification).

Claims 20 and 33 include that the print related information which is acquired from a prescribed location on said network contains, in addition to a sender's address, information concerning a prescribed location on said network to be accessed upon the next acquisition of said print related information. This is not taught or suggested by the art of record. Accordingly, it is respectfully submitted that claims 20 and 33 are allowable.

Official Notice Taken in Claim 33

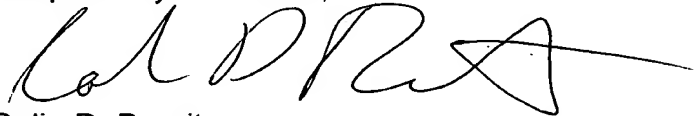
In the rejection of claim 33, the Office Action takes Official Notice that "printers with firmware upgrade routines embedded in the ROM were well known at the time of the invention." However, official notice unsupported by documentary evidence should

only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. Such is not the case here, and the prior art of record does not teach or suggest a printer that is capable of acquiring print related information necessary for generating print data, wherein the print related information is acquired from a prescribed location on the network. Accordingly, Applicants respectfully traverse the finding by the Examiner, and request that the Examiner provide adequate documentary evidence in the next Office Action to support the official notice taken should the rejection of claim 33 be maintained.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Col D Barnitz', with a long horizontal flourish extending to the right.

Colin D. Barnitz
Registration No. 35,061

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
Date: November 14, 2006